UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/057,786	04/08/1998	JAY ALAN BORSETH	MS1-240US	6777

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EXAMINER
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ART UNIT	PAPER NUMBER
2611	19

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/057,786	BORSETH, JAY ALAN
	Examiner	Art Unit	
	Hai Tran	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07/04/03* .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44* is/are pending in the application.

    4a) Of the above claim(s) *11* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10 and 12-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other: .

U.S. Patent and Trademark Office
PTOL-326 (Rev. 04-01)   Office Action Summary   Part of Paper No. 19

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 7/14/03 have been fully considered but they are not persuasive.

Claims 1-10, 13-39 and 43-44, Applicant argue "Yoshida's lacks of disclosure regarding a country table."

In response, the Examiner respectfully disagrees because Yoshida Col. 3, lines 14-17) describes initializing televisions destined for Japan, Europe and the USA in which Japan and USA are countries. Regarding Europe, the Examiner agrees with Applicant assertion that Europe is a continent; However, Europe is a set of countries that make it up. The fact that Yoshida system discloses that the system is initialize for Japan which is a country within Asia continent and USA is a country for American continent, it is fair to conclude that Yoshida must set up at least a table of countries of at least two countries, i.e., Japan and USA in order to function as disclosed.

Applicant further argues, "The cited portion of Yoshida, Col. 3, lines 15-18, actually discloses that the computer performs "necessary preparations such as band and channel setting or circuit selection according to the programs used in Europe, such as SECAM/PAL... Contrary to the rejection, such description lacks any teaching or suggestion of multiple channel-to-frequency mapping tables correlating channel numbers to corresponding frequencies for associated countries in the country table"" as claimed.

In response, the Examiner respectfully disagrees with Applicant because the claimed limitation "multiple channel-to-frequency mapping tables correlating channel numbers to corresponding frequencies for associated countries in the country table" is met by Yoshida at Col. 3, lines 15-18 and further show by attached document http://www.geo-orbit.org/sizepgs/ntscp.html.

Applicant further argues, "...Nalbandian does not show a country table listing a plurality of countries, but rather describes a table organized into three ITU regions for the purpose of assigning and allotting radio bands and services..."

In response, the Examiner respectfully disagrees with Applicant because Nalbandian discusses ITU-R in which is part of ITU's core functions (ITU-R, ITU-T and ITU-D) in which includes "Television signals"; see ITU-Broadcasting service (television) from http:// www.itu.int. Moreover, the actual international public telecommunication numbering plan is found in ITU-R Recommendation E.164 (1997) at http://www.itu.int/ITU-T/publications/index.html in which ITU-T Recommendation E.164.1; 05/1997 clearly defines a country table list with corresponding countries code either 1-3 digits or 1-3 letter-code by ITU standard (see attached document "ITU Member states" shows a table list of countries with country codes).

As to claim 12, Applicant argues, "... the proposed combination of Yoshida and the Owner's Manual fail to render claim 12 obvious."

In response to applicant's argument, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to

produce the claimed invention where there is some teaching, suggestion, or motivation

to do so found either in the references themselves or in the knowledge generally

available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5

USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed.

Cir. 1992).

In this case, Yoshida discloses a television system able to tune to various

television frequencies carrying television video signals upon transporting the tuner to a

new local (input a country code); to scan multiple channels within a particular locale

(country) for corresponding frequencies and to store the tuning frequencies for the

particular local (country) (Col. 3, lines 5-18);

Yoshida does not disclose, "Upon transporting the tuner back to the

particular local, the tuner retrieves the stored tuning frequencies to restore operation in

the particular local."

Honda Accord' Audio system discloses a method of configuring a tuning system

for operation in a first locale by determining tuning frequencies for an associated set of

channels; storing the tuning frequencies for the first locale; upon transporting the tuning

system to a second locale, reconfiguring the tuning system for operation in the second

locale; and upon transporting the tuning system back to the first locale, retrieving the

stored tuning frequencies to restore operation in the first locale. Wherein the

configuring step comprises the step of scanning for optimal tuning frequencies for the

associated set of channels (see whole disclosure of page 89).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Yoshida to retrieve the stored tuning frequencies

and to restore operation in the first locale, upon transporting the tuning system back to

the first locale, as taught by Honda, so to provide to user a convenient way to retrieve

back previous storing programs from the first local as taught by Honda.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-10, 13-39 and 43-44 are rejected under 35 U.S.C. 103(a) as being

   unpatentable over Yoshida (US 5363142) in view of Albert Nalbandian (ITU-R

   studies on Spectrum management\Albert Nalbandian\ITU-BR SGD \ 02/05/98).

   Regarding claims 1-3, 5-7, 21 and 32-34 Yoshida discloses a television set

with proper program codes stored in a microcomputer wherein the system identifies

the receiving country code by the remote control and selects and executes a proper

program corresponding to the receiving country code by performing necessary

preparation such as band and channel setting according to the receiving country

code (Col. 3, lines 1-18). In order to perform such function, Yoshida's system must

configure a set/table of plurality of countries code associated with a set/table of

channel-to-frequency mapping table of various countries in order to function as disclosed.

Yoshida does not clearly disclose, "The country table lists the countries according to an ITU code"; However, Yoshida disclose the system performs necessary preparation such as band and channel setting according to the receiving country code (Col. 3, lines 14-17).

Nalbandian discloses the country table lists the countries according to an ITU code (see attached ITU table list "ITU member states") and wherein the country table is in relation with corresponding Table of Frequency allocations for broadcasting purpose on each state or countries is well known by Recommendation ITU-R (page 3; section 4.1); Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yoshida with country table list according to ITU standard and wherein the country table references to an associated channel-to-frequency mapping table for the selected country, as taught by Nalbandian, so to simplify the Table of Frequency Allocations, ease coordination requirements, promote equipment availability for international markets and reduce production cost, thus helping to meet the requirements of developing countries in particular, see page 3.

Regarding claims 4, 8, 22 and 35, Yoshida further discloses the system performs necessary preparation such as band and channel setting according to the receiving country code also contain a television standard, i.e., SECAM/PAL, NTSC...(Col. 3, lines 5-18).

Regarding claim 9, Yoshida and Nalbandian does not disclose, "embodied in software as a DLL."

Official Notice is taken that software written, as a DDL file is well known in the computer art under Microsoft Windows environment. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yoshida in view of Nalbandian by developing software for a specific television tuning system, as a DLL file, so that the DLL file does not consume memory until it is used, and because DLL is a separate file, a programmer can make corrections or improvements to only that module without affecting the operation of the calling program or any other DLL files.

As for "stored on a computer readable storage medium", Yoshida must has some type of storage medium so to store software program and countries codes as disclosed.

Regarding claim 10, Yoshida television system must have a tuner in order to tune to the requested TV channel.

Regarding claim 13, in combination with claims 1-8, 10 and 12; Yoshida television tuning system must has a video decoder circuitry coupled to receive a television video signal from the tuner to convert the received television video signal to digital video data and a video decoder module (software program) to decode the digital video data according to a particular video standard, as disclosed Col. 3, lines 5-18 (in digital computer environment, RF video signal received at the tuner must be converted from analog to digital so the computer processor could process the

receiving RF video signal. Once the converted digital video data is processed by the

processor wherein the processor defines the corresponding video standard output to

display, i.e., NTSC or PAL/SECAM, the converted digital video data must be

converted to corresponding video standard in order to display to the TV display).

Since, Yoshida discloses the process of adjusting the tuner circuitry to a

particular TV frequency and determine corresponding video standard output, i.e.

NTSC, is based on computer program, the claimed "tuner module" and "video

decoder module" limitations are further met by Yoshida's computer program since

computer software adjusts both the video and tuner elements of the TV, see Col. 3,

lines 5-18.

Regarding claim 14, the claimed limitation " wherein the country table list the

countries according to an ITU code" is analyzed with respect to claim 1-3 and 5-7.

Regarding claim 15, Yoshida and Nalbandian does not disclose wherein the

tuner module is "embodied in software as a DLL."

Official Notice is taken that software written, as a DDL file is well known in the

computer art under Microsoft Windows environment. Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to

modify Yoshida in view of Nalbandian by developing software for a specific television

tuning system, as a DLL file, so that the DLL file does not consume memory until it is

used, and because a DLL is a separate file, a programmer can make corrections or

improvements to only that module without affecting the operation of the calling

program or any other DLL files. In this instant case, the module is a tuner module.

Regarding claim 16, as discussed in claim 15, since the tuner module can be written and implemented as a DLL file, a programmer can make corrections or improvements to only that tuner module (DLL file) without affecting the operation of the calling program and does not have to replace the tuner circuitry and the decoding circuitry.   .

Regarding claims 17 and 25, Yoshida and Nalbandian do not specifically disclose the software program supports API to expose functionality of the tuner module (DLL file).

Official Notice is taken that API is well known in the computer art under Microsoft Windows environment. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yoshida in view of Nalbandian by using API so that the Yoshida's software program could use those set   . of routine (API) to direct the performance of procedures by the computer OS.

Regarding claims 18, 23, Yoshida in view of Nalbandian tuner module/code segment (computer program) must store a set of television frequencies that map to corresponding channels within the particular country for subsequent retrieval as disclosed (Col. 3, lines 5-18).

Regarding claim 19 is analyzed with respect to claim 13.

Regarding to claim 20, as discussed in claims 1-3 and 5-7, Yoshida must has unique country code assigned to the country table list.

Regarding claim 24, Yoshida and Nalbandian do not disclose a television-tuning manager as recited in claim 19, "embodied as a software as a DLL."

Official Notice is taken that software written, as a DDL file is well known in the

computer art under Microsoft Windows environment. Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to

modify Yoshida in view of Nalbandian by developing software for a specific television

tuning system, as a DLL file, so that the DLL file does not consume memory until it is

used, and because the DLL is a separate file, a programmer can make corrections

or improvements to only that module without affecting the operation of the calling

program or any other DLL files. In this instant case, the module is a television-tuning

manager.

As for "stored on a computer readable storage medium", Yoshida must has

some type of storage medium so to store software program and countries codes as

disclosed.

Regarding claim 26, as discussed in claims 1-3, 5-7 and 21, Yoshida and

Nalbandian do not specifically disclose the software program supports API for a

television tuning system and the API being embodied on a computer-readable

medium. As for "embodied on a computer readable medium", Yoshida must has

some type of storage medium so to store software program and countries codes as

disclosed.

Official Notice is taken that API is well known in the computer art under Microsoft

Windows environment. Therefore, it would have been obvious to one of ordinary

skill in the art at the time the invention was made to modify Yoshida in view of

Nalbandian by using API so that the Yoshida's software program could use those set of routine (API) to direct the performance of procedures by the computer OS.

Regarding claim 27, as discussed in claim 26, Yoshida further performs all the functions claimed such retrieving all analog video TV standards supported by the tuning system, retrieving a current analog video TV standard in use (i.e., NTSC or PAL/SECAM), setting a current TV channel, retrieving the current TV channel, retrieving highest and lowest channels available, scanning for a precise signal on the current TV channel's frequency, setting a country code, retrieving the country code, setting a storage index for regional channel to frequency mappings, retrieving the storage index , retrieving a number of TV sources plugged into the tuning system setting and retrieving a type of tuning system (detection and setting by retrieving of a video decoding format standard, associated with different countries, such as PAL, NTSC, Secam etc. in order to decode the received TV signal), retrieving a current video frequency (met by the tuner); and retrieving a current audio frequency (the received TV signal having video and audio and the system performs any necessary preparations such as band and channel setting to the program data such as NTSC...).

Regarding claim 28, "receiving an ITU code for a particular country and selecting, based on the ITU code, a set of TV channel-to-TV frequency mapping for use in the particular country" is met by previous discussion in claims 1-3, 5-7 and 21.

Regarding claim 29, Yoshida in view of Nalbandian further disclose the step of selecting, based on the ITU code, a TV standard for use in the particular country, i.e., SECAM/PAL, NTSC...(Col. 3, lines 5-18).

Regarding claim 30, Yoshida in view of Nalbandian must store the selected set of TV channel-to-frequency mappings so to function as disclosed in claims 1-3, 5-7 and 21.

Regarding claim 31, As for "a computer readable medium having computer-executable instruction for performing the steps in the method claim 28", Yoshida in view of Nalbandian must have some type of storage medium so to store software program and countries codes so to perform as disclosed.

Regarding claim 36, Yoshida further discloses the step of scanning for a better quality frequency within the channel (performing any necessary preparations such as band and channel setting; Col. 3, lines 14-18).

Regarding claim 37, as discussed in claims 1-3, 5-7, 21 and 32-34, the step of indexing from an entry for the country in the country table to a particular Frequency Allocations table must be done by Yoshida in view of Nalbandian to perform the function as disclosed "if said destination code is [3AH], the computer identifies it as destined for Europe from programs stored within itself, performing any necessary preparations such as band and channel setting..." (Col. 3, lines 14-18).

Regarding claim 38, as discussed in claims 1-3, 5-7, 21 and 32-34, Yoshida in view of Nalbandian must look-up in the particular channel-to-frequency table (Frequency Allocations table) a TV frequency that correspond to the channel.

Regarding claim 39, Yoshida discloses computer executable instructions for performing the steps in claim 32 (Abstract).

Regarding claim 43, it is analyzed with respect to claims 1-3, 5-7, 21 and 32-34;

Regarding claim 44, it is analyzed with respect to claims 1-3 in combination with claim 4.

2. Claims 12, 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida (US 5363142) in view of Honda Accord 1996 Owner's Manual, page 89.

Regarding claim 12, Yoshida discloses a television system able to tune to various television frequencies carrying television video signals upon transporting the tuner to a new local (input a country code); to scan multiple channels within a particular locale (country) for corresponding frequencies and to store the tuning frequencies for the particular local (country) (Col. 3, lines 5-18);

Yoshida does not disclose, "Upon transporting the tuner back to the particular local, the tuner retrieves the stored tuning frequencies to restore operation in the particular local."

Honda Accord' Audio system discloses a method of configuring a tuning system for operation in a first locale by determining tuning frequencies for an associated set of channels; storing the tuning frequencies for the first locale; upon transporting the tuning system to a second locale, reconfiguring the tuning system for operation in the second locale; and upon transporting the tuning system back to the first locale, retrieving the stored tuning frequencies to restore operation in the first locale.

Wherein the configuring step comprises the step of scanning for optimal tuning frequencies for the associated set of channels (see whole disclosure of page 89). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yoshida to retrieve the stored tuning frequencies and to restore operation in the first locale, upon transporting the tuning system back to the first locale, as taught by Honda, so to provide to user a convenience way to retrieve back previous storing programs from the first local as taught by Honda.

Regarding claims 40-41, Yoshida discloses a television system able to tune to various television frequencies carrying television video signals upon transporting the tuner to a new local (input a country code); to scan multiple channels within a particular locale (country) for corresponding frequencies and to store the tuning frequencies for the particular local (country) (Col. 3, lines 5-18);

Yoshida does not disclose, "configuring a tuning system for operation in a 1st locale by determining tuning frequencies for an associated set of channels; storing the tuning frequencies for the 1st locale; upon transporting the tuning system to a 2nd locale, reconfiguring the tuning system for operation in the 2nd locale; and upon transporting the tuning system back to the 1st locale, retrieving the stored tuning frequencies to restore operation in the 1st locale. Wherein the configuring step comprises the step of scanning for optimal tuning frequencies for the associated set of channels."

Honda Accord' Audio system discloses a method of configuring a tuning system for operation in a 1st locale by determining tuning frequencies for an associated set of channels; storing the tuning frequencies for the 1st locale; upon transporting the tuning system to a 2nd locale, reconfiguring the tuning system for operation in the 2nd locale; and upon transporting the tuning system back to the 1st locale, retrieving the stored tuning frequencies to restore operation in the 1st locale. Wherein the configuring step comprises the step of scanning for optimal tuning frequencies for the associated set of channels (see whole disclosure of page 89).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yoshida to retrieve the stored tuning frequencies and to restore operation in the first locale, upon transporting the tuning system back to the first locale, as taught by Honda, so to provide to user a convenience way to retrieve back previous storing programs from the first local as taught by Honda.

Regarding claim 42, "a computer-readable medium having instruction for performing the steps in the method as recited in claim 40" is further met by Honda disclosures in which Honda must have Non-volatile memory with program execution stored in order to function as disclosed.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Contact Fax Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or Faxed to: (703) 872-9314
> for formal communication intended for entry or
> for informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (703) 308-7372. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5399.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 306-

0377.

ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

HT:ht
09/18/2003